TOWN OF WALLACE MONTHLY TOWN COUNCIL MEETING October 10, 2019 7:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:
Charles C. Farrior, Jr., Mayor
Council Member/Mayor Pro-Tem Warren Hepler
Council Member Frank Brinkley
Council Member Wannetta Carlton
Council Member Jeff Carter
Council Member Jason Wells

The following members of the Governing Body were absent: NONE

Also Present were:

Larry Bergman, Town Manager	Ricky Raynor, Collection & Distribution System Supervisor
Jackie Nicholson, Town Clerk	Sharon Robison, Library Director
Anna Heath, Town Attorney	Peggy Updike, PS Administrative Assistant
David Bizzell, Parks & Recreation Director	Jerry James
Brent Dean, Acting Public Services Director	Jody Brooks
Shameshia Fennell, Finance Director	Davis Carr
Rod Fritz, Planning Director	Francisco Rivas-Diaz
Gage King, Airport Manager	Darlene Leysath
Chris Martin, Tax Administrator	Joseph Merritt
David Morgan, Police Captain	Abby Cavenaugh, Duplin Times

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present. The invocation was given by Town Attorney Anna Heath.

The Pledge of Allegiance was recited.

10/10/19 Page 1 of 18

Adoption of the Agenda

Mayor Farrior called for discussion of the agenda and said he would like to add a closed session at the end of the meeting to discuss industrial development. Council Member Jason Wells made a motion to adopt the agenda as amended. The motion was seconded by Council Member Frank Brinkley and approved by unanimous vote.

Public Comment Period

There were no comments from the public.

Presentations/Proclamations

Mayor Farrior administered the Oath of Office for Town Manager Larry Bergman.

Consent agenda

Minutes from the September 12, 2019 monthly meeting

Mayor Farrior called for discussion of the minutes. Council Member Wells made a motion to approve the minutes as submitted. The motion was seconded by Council Member Wannetta Carlton and approved by unanimous vote.

Tax Report

Tax Administrator Chris Martin presented the Tax Report for the period ending October 10, 2019 and said that collections were up 1.58% compared to last year, up 0.87% compared to the 10-year overall and \$2,161.41 was received from payment plans. Mr. Martin provided a list of the top ten (10) tax delinquencies by amount per which the Council indicated he pursue aggressively.

Tax Releases

Mr. Martin asked the Council to approve the release the following tax liabilities and issue refunds where indicated:

Acct #	Name	Reason	Amount
3018	AGCO Finance, LLC	County used wrong schedule	\$62.40
3144	Marlin Leasing, Inc.	Wrong value	\$5.12
3109	Dustin and Polly Hatcher	Already paid	\$282.57

Bold denotes refund

10/10/19 Page 2 of 18

Council Member Warren Hepler made a motion to approve the above listed releases and refunds. The motion was seconded by Council Member Wells and approved by unanimous vote.

Budget Amendments

Finance Director Shameshia Fennell presented budget amendments for Council approval.

Ms. Fennell said that budget amendment #1 had already been approved but there was a change due to cost adjustments. Council Member Brinkley made a motion to approve budget amendment #1 which was seconded by Council Member Carlton and approved by unanimous vote.

Ms. Fennell stated that budget amendment #4 was at the request of a department head. Council Member Wells made a motion to approve budget amendment #4. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Ms. Fennell said that budget amendment #6 was for the Airport Fuel Farm project. Council Member Wells made a motion to approve budget amendment #6 which was seconded by Council Member Hepler and approved by unanimous vote.

Old Business

Harvell Building Lease Agreement

Planning Director Rod Fritz said at the September meeting the Council approved lease negotiation for the building in return for renovation. The building has been prepared and made ready for renovation. Mr. Fritz requested the Council to adopt a Resolution of Intent to Lease Property and approve execution of the proposed lease.

Council Member Hepler made a motion to approve the lease agreement with Mr. Norwood "Butch" Cavenaugh. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Request for Proposals – Campbell Center Renovation

Parks & Recreation Director David Bizzell presented a Request for Proposals (RFP) for renovations to the Campbell Center. The Council discussed the proposed RFP and indicated a couple of items needed a bit more specificity.

The Council took no action on this matter.

10/10/19 Page 3 of 18

Appointment to Wallace ABC Board

Mayor Farrior said that at the last meeting he had asked the Council to think about who could be appointed to the Wallace ABC Board upon the expiration of Henry Campbell's term.

Council Member Wells made a motion to appoint Jody Brooks to the ABC Board for a three (3) year term beginning in January 2020 to expire in December 2022. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

New Business

Update Interlocal Agreement (ILA) - Teachey

Public Services Director Brent Dean said that in the process of getting funding approved for the two (2) new wells the State has required that the ILA with the Town of Teachey be updated.

Council Member Hepler made a motion to approve the proposed contract extension which was seconded by Council Member Wells and approved by unanimous vote.

Petition for Annexation – Poston Baptist Church

Planning Director Fritz stated that on September 16, 2016 Poston Baptist Church submitted an application for voluntary contiguous annexation and asked the Council to direct the Clerk to investigate the sufficiency of the petition.

Council Member Wells made a motion to adopt a Resolution Directing the Clerk to Investigate a Petition Received Under GS 160A-31. The motion was seconded by Council Member Jeff Carter and approved by unanimous vote.

Petition for Annexation – Brick City Solar Farm

Planning Director Fritz stated that on August 8, 2019 Cypress Creek Renewables (Brick City Solar Farm) has submitted an application for voluntary contiguous annexation and asked the Council to direct the Clerk to investigate the sufficiency of the petition.

Council Member Carter made a motion to a Resolution Directing the Clerk to Investigate a Petition Received Under GS 160A-31 which was seconded by Council Member Carlton and approved by unanimous vote.

10/10/19 Page 4 of 18

Approval of Airport Ordinance Amendments

Airport Manager Gage King said that the request to amend the Airport Minimum Standards provides greater control of any business located at the Airport.

Council Member Brinkley made a motion to approve an amendment for Airport Minimum Standards For Commercial Activities (FBO/SASO/I0). The motion was seconded by Council Member Wells and approved by unanimous vote.

Mr. King stated that the Airport Rules and Regulations are being amended to support the changes to the Minimum Standards.

Council Member Wells made a motion to approve an amendment for Airport Rules And Regulations which was seconded by Council Member Hepler and approved by unanimous vote.

Work Authorization Approval - Cost Estimates - Airport

Airport Manager King presented Work Authorization No. 19-01 for cost estimates associated with the runway extension and road relocation project at Henderson Field. Mr. King added that this includes drawings and a phasing plan required by the North Carolina Department of Transportation (NCDOT) which has reviewed and approved the scope of work and fees. No local match is required as it will be funded with Non-Primary Entitlement (NPE) Grant Funds.

Council Member Carter made a motion to approve Work Authorization No. 19-01. The motion was seconded by Council Member Hepler and approved by unanimous vote.

Finance Director Fennell asked the Council to approve budget amendment #7 as it is related to this work authorization.

Council Member Wells made a motion to approve budget amendment #7 which was seconded by Council Member Carlton and approved by unanimous vote.

Work Authorization Approval – Automated Weather Observation System (AWOS) - Airport

Airport Manager King presented Work Authorization No. 19-02 for consulting services and purchase of 31.25 acres of land adjacent to the airport. Mr. King said that the land would be used as the buffer required for an AWOS. He added that these systems are used by the National Oceanic and Atmospheric Administration (NOAA), weather stations and pilots. A 10% local match is required is and nearly all of the funds have been budgeted for this fiscal year.

10/10/19 Page 5 of 18

Council Member Hepler made a motion to approve Work Authorization No. 19-02 contingent upon an Independent Fee Audit (IFA) that was seconded by Council Member Brinkley and approved by unanimous vote.

Finance Director Fennell asked the Council to approve budget amendment #8 as it is related to this project.

Council Member Hepler made a motion to approve budget amendment #8 which was seconded by Council Member Wells and approved by unanimous vote.

Approval of Offer to Purchase Property

Mayor Farrior said that this matter had been discussed previously and the Council had approved making a verbal offer on the property adjacent to he Town Hall which was accepted. The Mayor asked the Council to approve his signing a formal offer to purchase the Elias property.

Council Member Hepler made a motion to authorize the mayor execute an Offer to Purchase and Contract with Theresa Brooks Elias in the amount of \$95,000. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Finance Director Fennell asked the Council to approve budget amendment #5 as it is related to this purchase of property.

Council Member Brinkley made a motion to approve budget amendment #5 which was seconded by Council Member Carter and approved by unanimous vote.

Financial Reports

Finance Director Fennell presented the financial reports and said that she added an irrigation report and collections of past due accounts. Ms. Fennell added that the sales tax received in July, August and September is the highest amount the Town has received in over ten (10) years and that 48% of the ad valorem taxes have been collected for this year.

Hurricane Florence Report

Finance Director Fennell presented the Hurricane Florence reported that a check from insurance in the amount of \$116,000 which would reduce the amount of some FEMA reimbursements.

Council Reports

10/10/19 Page 6 of 18

Council Member Carter asked if the work on the water tank at Town Hall was complete? It is, although all the antennas have not been put back yet.

Council Member Wells brought up the issue of tractor trailers parking in residential districts. Capt. David Morgan said he would take care of that.

Council Member Carlton said that a resident has been calling her frequently regarding an overgrown lot.

Mayor's Report

Mayor Farrior asked the Council about continuing the meeting to discuss some items that require in-depth discussion. The Council decided to meet on Wednesday, October 16 at 5:30 pm.

Mayor Farrior asked about pictures of the old Stevcoknit Plant that were given to him. It was suggested that they been cleaned up and displayed prominently in the Town Hall. The Council concurred.

Department Head Reports

Rod Fritz, Town Planner, reported on zoning permits and zoning violations, Façade Grant for Curt Simpson and a Special Use Permit (SUP) application. Mr. Fritz said that he was also looking at some mobile home lots on Hwy 41 in the R-6MH (residential, minimum lot size 6,000 sq.ft., mobile home allowed) that are smaller than 6,000 sq.ft. which will be discussed at a future work session.

David Morgan, Police Captain, talked about the Governor's Crime Commission (GCC) grant application submitted for items associated with active threats/shooter response, the department's coat drive, Trick-or-Treat Street and training.

David Bizzell, Parks & Recreation Director, said that his Flag Football Team won their game by a score of 16-6. He added that the Boy Scout Fishing Tournament at Boney Mill Pond had a good turnout.

Sharon Robison, Library Director, said that Ayden Fussell made a donation to the Library to help fund another book for the story walk project, Crochet Club will be making scarves for Operation Gratitude which sends care packages to deployed troops and first responders at home. Ms. Robison added that the fall pre-school programs have started.

Gage King, Airport Manager reported that fuel sales were a little slow and the fuel farm project is going well.

10/10/19 Page 7 of 18

Brent Dean, Acting Public Services Director, said the lift stations in River Landing were back online, the street sweeper repairs have been completed and utilities are marked at the locations for the stop signs. Mr. Dean added that the intersection of Main St. and Cumberland has been dug up to try to find the source of the water puddling there and that the fire hydrant need to be repaired. Unless something else is determined, he said he planned to back fill it and pave it.

Shameshia Fennell, Finance Director, reported that Business Registration licenses have been mailed, the sales tax refund report is complete and the total refund is approximately \$70,000. A five percent (5%) sewer fee increase for Burgaw had been implemented. Ms. Fennell added that the 2018-19 pre-audit began on October 3 and completed on October 4. Two (2) finance department employees, Carrie Gurganious and Lillie Winston will be attending Debt Set Off Training on October 30.

Jackie Nicholson, Town Clerk, told the Council that the transition to bi-weekly payroll did not go all that smoothly but it has been accomplished. Ms. Nicholson informed the Council that she would be attending the OMPO (Organization of Municipal Personnel Officers) next week and asked for a head count for the Duplin County Municipal Association meeting next Thursday.

Town Manager's Report

Town Manager Larry Bergman reported on the following:

- Town of Wallace was featured in an issue of Where to Retire magazine
- Working on Cat A (debris removal) FEMA reimbursements in the amount of \$300,000
- TOT (Tons of Trash) contract expires July 2020 and the renewal contract has not been signed, options to consider will be researched
- Town Cleaning Services looking at options such as full-time or part-time staff

Closed Session

Council Member Wells made a motion to go into closed session to discuss an economic development issue (G.S. 143-318.11(a)(4). The motion was seconded by Council Member Carlton and approved by unanimous vote.

The Council and Mayor discussed a project where the scope has significantly changed which affects other elements of the project. Additional information will be considered when it becomes available.

Council Member Hepler made a motion to end the closed session that was seconded by Council Member Wells and approved by unanimous vote.

10/10/19 Page 8 of 18

With there being no other business to discuss at this time, Council Member Carlton made a motion
to recess the meeting until 5:30 pm on Wednesday, October 16, 2019. The motion was seconded
by Council Member Wells and approved by unanimous vote.

Respectfully submitted,	
Charles C. Farrior, Jr., Mayor	
	Jacqueline Nicholson, CMC, NCCMC Town Clerk

10/10/19 Page 9 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #1 BATCH 30281 FOR BUDGET 2019-2020

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following			
amendments be made	amendments be made to the budget for the fiscal year ending June 30, 2020:		
Section I:	General Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
10-3310-000	Rent – Town Hall Facilities		\$5.000.00
10-3310-015	Town Land Rent		\$900.00
10-3310-041	Tower Rent		\$8,323.00
Section II:	General Fund		
Expenditures:			
Account Number	Account Description	Increase	Decrease
10-5000-150	Maint/Repair Facilities	\$11,523.00	
10-5400-450	Contracted Services	\$2,700.00	
	TOTAL:	\$14,223.00	\$14,223.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:	
	Jacqueline Nicholson, Town Clerk
	Charles C. Farrior, Jr., Mayor

10/10/19 Page 10 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #4 BATCH 30736 FOR BUDGET 2019-2020

BE IT ORDAINED by	the Town Council of the Town	of Wallace, North Card	lina the following
amendments be made	e to the budget for the fiscal year	ar ending June 30, 202	20:
Section I:	General Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
10-3650-650	Parks & Rec Donations		\$1,000.00
Expenditures:			
Account Number	Account Description	Increase	Decrease
10-5800-451	Contracted Services TOT		\$109.00
10-5800-450	Tipping & Disposal Fees	\$109.00	
10-5000-020	Salaries - Building		\$2,500.00
10-5000-150	Maint/Repair Facilities	\$2,500.00	
10-6200-150	Maint/Repair Facilities	\$1,000.00	
Section II:	Water & Sewer Fund		
<u>Expenditures</u>			
Account Number	Account Description	Increase	Decrease
30-8300-530	Dues & Subscriptions		\$1,638.00
30-8300-570	Miscellaneous Expense	\$1,638.00	
30-8300-150	WWTP Maintenance		\$6,500.00
30-8300-330	Department Supplies	\$6,500.00	
	TOTAL:	\$11.747.00	\$11.747.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:		
	Jacqueline Nicholson, Town Clerk	
	Charles C. Farrior, Jr., Mayor	

10/10/19 Page 11 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #6 BATCH 30933 FOR BUDGET 2019-2020

BE IT ORDAINED by	the Town Council of the Town of Wa	Illace, North Ca	arolina the following
amendments be made to the budget for the fiscal year ending June 30, 2020:			
Section I:	Airport Capital Project Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
63-3010-100	Town of Wallace Match		\$689.60
63-3010-125	Pender County Match		\$689.60
63-3010-350	NPE		\$12,412.80
Section II:	Airport Capital Project Fund		
Expenditures			
Account Number	Account Description	Increase	Decrease
63-7510-102	Preliminary		\$3,880.00
63-7510-104	Engineering	\$3,880.00	
63-7510-106	Construction	\$13,792.00	
	TOTAL:	\$17,672.00	\$17,672.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:	
	Jacqueline Nicholson, Town Clerk
	Charles C. Farrier, In Mayor
	Charles C. Farrior, Jr., Mayor

10/10/19 Page 12 of 18

RESOLUTION OF INTENT TO LEASE PROPERTY

WHEREAS, N.C.G.S. 160A-272 authorizes the Town Council to lease property; and

WHEREAS, the Town Council of the Town of Wallace ("Town") has determined that the real property of the Town described below will not be needed by the Town for a term of two (2) years:

The building and 1.1 acres immediately surrounding the building located at 683 E. Southerland Street, Wallace, NC 28466. The lease area includes approximately 1.1 acres in a roughly rectangular shape surrounding the building with a Northern and Southern proposed lease line of 270 feet. A Western lease line of 195 feet and an Eastern lease line of 150 feet. The Western most lease line is intersected at 96 feet directly west of the southwest corner of the existing building.

WHEREAS, Norwood Butch Cavenaugh has requested to lease the above-described property for period of two (2) years; and

WHEREAS, the Town Council adopted a resolution on August 8, 2019 of it's intent to lease the above-described property at its regular meeting on October 10, 2019; and

WHEREAS, the Town Clerk published a public notice in The Duplin Times Newspaper on September 11, 2019 describing the property to be leased, stating the annual rental payments, and announcing the Council's intent to authorize the lease at its next regular meeting, pursuant N.C.G.S. 160A-272;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Wallace meeting in regular session that:

- 1. The Town Council has determined that the property is not necessary during the term of the lease.
- 2. That the Town Council of the Town of Wallace authorizes the lease of the property to Norwood Butch Cavenaugh for a term of two (2) years.
- 3. That the Town Manager Laurence C. Bergman is duly authorized to execute the attached Lease.

	Adopted this the 10 day of October, 2	019	
		Ву:	
		Charles C. Farrior, Jr., Mayor	
Attest:			
Jacquel	line Nicholson, Town Clerk		

10/10/19 Page 13 of 18

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on September 16, 2019 by the Town Council of the Town of Wallace; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk of Wallace before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Wallace, deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Wallace, that;

The Town of Wallace Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Wallace Town Council the result of her investigation.

	Charles C. Farrior, Jr., Mayor
ATTEST:	
Jacqueline Nicholson, Town Clerk	

10/10/19 Page 14 of 18

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on August 08, 2019 by the Town Council of the Town of Wallace; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk of Wallace before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Wallace, deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Wallace, that;

The Town of Wallace Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of her investigation.

	Charles C. Farrior, Jr., Mayor
ATTEST:	
Jacqueline Nicholson, Town Clerk	

10/10/19 Page 15 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #7 BATCH 30934 FOR BUDGET 2019-2020

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following			
amendments be made	to the budget for the fiscal year end	ding June 30, 2	020:
Section I:	Airport Capital Project Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
63-3015-300	DOA		\$2,519.00
63-3015-350	NPE		\$22,671.00
Section II:	Airport Capital Project Fund		
Expenditures			
Account Number	Account Description	Increase	Decrease
63-7515-102	Preliminary	\$25,190.00	
	TOTAL:	\$25,190.00	\$25,190.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:	
	Jacqueline Nicholson, Town Clerk
	Charles C. Farrior, Jr., Mayor

10/10/19 Page 16 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #8 BATCH 30935 FOR BUDGET 2019-2020

BE IT ORDAINED by	the Town Council of the Town of Walla	ace, North Carolin	a the following
amendments be made	e to the budget for the fiscal year endir	ng June 30, 2020:	-
Section I:	Airport Capital Project Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
63-3020-100	Town of Wallace Match		\$8,727.00
63-3020-125	Pender County Match		\$8,727.00
63-3015-350	NPE		\$157,079.00
Section II:	Airport Capital Project Fund		
Expenditures			
Account Number	Account Description	Increase	Decrease
63-7520-102	Preliminary	\$8,430.00	
63-7520-103	Land Structures and Right of Way	\$163,403.00	
63-7520-104	Engineering	\$2,700.00	
	TOTAL:	\$174,533.00	\$174,533.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:	
	Jacqueline Nicholson, Town Clerk
	Charles C. Farrier, In Mayor
	Charles C. Farrior, Jr., Mayor

10/10/19 Page 17 of 18

TOWN OF WALLACE BUDGET ORDINANCE AMENDMENT #5 BATCH 30739 FOR BUDGET 2019-2020

BE IT ORDAINED by t	he Town Council of the Town of	Wallace, North Caro	lina the following
amendments be made	to the budget for the fiscal year	ending June 30, 202	0:
Section I:	General Fund		
Revenues:			
Account Number	Account Description	Decrease	Increase
10-3990-000	Appropriated Fund Balance		\$97,000.00
Section II:	General Fund		
Expenditures:			
Account Number	Account Description	Increase	Decrease
10-5300-720	Capital Outlay - Facility	\$97,000.00	
	TOTAL:	\$97,000.00	\$97,000.00

Section III: <u>Copy to Finance Director:</u>

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of October, 2019

Attest:	
	Jacqueline Nicholson, Town Clerk
	Charles C. Farrior, Jr., Mayor

10/10/19 Page 18 of 18